

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANY AND ALL FUNDS  
ON DEPOSIT AT JPMORGAN CHASE  
ACCOUNT NUMBER 61442003  
HELD IN THE NAME OF CIA MINERA  
AURIFERA SANTA ROSA SA, AKA  
COMARSA, et al.,

Defendants in rem.

Case No.: 12-CV-7530 (GBD/JCF)

**NOTICE OF CLAIM PURSUANT  
TO SUPPLEMENTAL RULE G(5)**

**PLEASE TAKE NOTICE** that by and through its undersigned attorneys, Claimant Pacific Gateway Corporation ("Pacific"), by this notice makes a claim for certain property subject to the above-captioned proceeding, specifically:

1. Any and all funds on deposit at Espirito Santo Bank Account Number 106193054, held in the name of Pacific Gateway Corporation; and
2. Any and all funds on deposit at Wells Fargo Account Number 2000045521021, held in the name of Pacific Gateway Corporation;

Please take further notice that Claimant will rely upon the attached signed Claim pursuant to 18 U.S.C. §983(a)(4)(A) and Supplemental Rule G(5) of the Supplemental Rules for Certain Admiralty or Maritime and Asset Forfeiture Actions in support of its claim to the property, as well as an answer and any other dispositive motions to be filed subsequent to the filing of this Claim as provided by the applicable statutes and rules.

Dated: February 7, 2013

Respectfully submitted,

PROSKAUER ROSE LLP

By: Robert J. Cleary / AUC

Robert J. Cleary  
Eleven Times Square  
New York, NY 10036  
Telephone: (212) 969-3000  
Facsimile: (212) 969-2900

*Attorney for Pacific Gateway Corporation*

**Claim for Any and All Funds on Deposit and/or Seized from  
Espirito Santo Bank Account Number 106193054 and  
Wells Fargo Account Number 2000045521021**

I, MIGUEL ANGEL SANCHEZ ALAYO, am the President of Claimant Pacific Gateway Corporation ("Pacific"). Under penalty of perjury, I hereby file this claim contesting the forfeiture of any and all funds in Espirito Santo Bank Account Number 106193054 and Wells Fargo Account Number 2000045521021, identified as defendants-in-rem in the above-captioned action.

1. Pacific is making a claim contesting the forfeiture of any and all funds seized from and/or on deposit in Espirito Santo Bank Account Number 106193054 and Wells Fargo Account Number 2000045521021, identified in the above-captioned action.
2. Pacific is the owner of these accounts, as well as any and all funds contained therein and seized therefrom, and is identified as the named accountholder for the Espirito Santo Bank Account Number 106193054 and Wells Fargo Account Number 2000045521021 in the Complaint.

I swear under penalty of perjury, pursuant to the laws of the United States, that the foregoing is true and correct to the best of my information and belief.

  
\_\_\_\_\_  
MIGUEL ANGEL SANCHEZ ALAYO

Dated: Lima, February 05, 2013

**CERTIFICATE OF SERVICE**

I hereby certify that, on February 7, 2013, I caused a true and correct copy of the Notice of Claim to be served via CM/ECF system upon Preet Bharara, United States Attorney for the Southern District of New York, Sarah E. Paul, Assistant United States Attorney, and Paul Monteleoni, Assistant United States Attorney.

/s/ Robert J. Cleary  
Robert J. Cleary